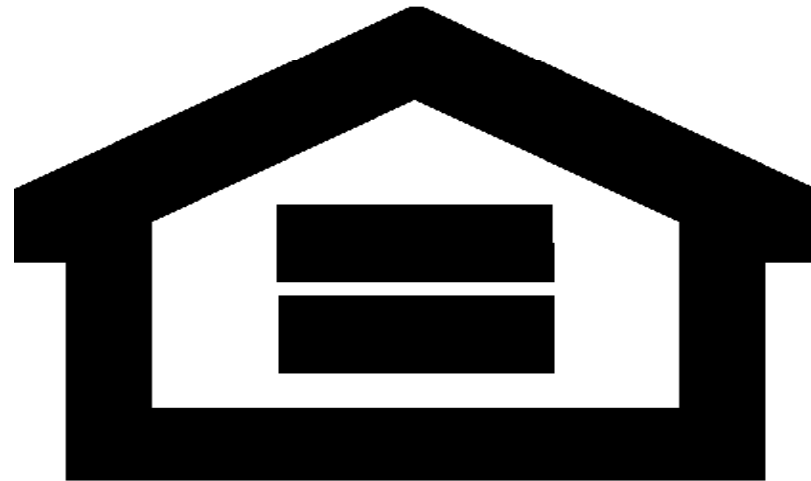


City of Durham Human Relations Department

Landlord Training Workshop



EQUAL HOUSING
OPPORTUNITY



Role of the Human Relations Dept. in Enforcement of Fair Housing Laws

- Local City of Durham administrative agency
- Investigates fair housing complaints alleging violations of Title VIII of the Civil Rights Act, Fair Housing Act and the City of Durham Fair Housing Ordinance.
- City Fair Housing Ordinance is substantially equivalent to federal Fair Housing Act.
- Complaints are dual filed with the U.S. Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO)



FAIR HOUSING IS THE LAW

- Federal law and the City Ordinance prohibit discrimination in housing on the basis of:
 - Race
 - Color
 - Sex(gender)
 - Religion
 - National origin
 - Disability
 - Familial Status



Applicant Screening and Fair Housing

- It is illegal to apply different eligibility or income standards for different applicants based on their protected class
- It is illegal to handle the applicant screening process and the selection of tenants in a discriminatory manner. Example: Asking for photo ID from one class and not another; asking for car registration, proof of insurance, etc. for only Hispanic applicants and not whites or blacks.
- Prevent discrimination or the appearance of difference in treatment by establishing written policies and procedures. Apply them equally to all persons requesting information or application forms
 - Examples: credit requirements, terms and conditions regarding deposits, payment dates and maintenance



Applicant Screening and Fair Housing

- Steps to include in the applicant screening process:
 - Have each adult fill out a separate application
 - Contact present and previous landlords
 - Call present employer to verify employment
 - Run a credit check
 - Run an eviction search
 - Run a criminal history search
 - Make your decision and notify the applicant
- You can refuse to rent if the applicant:
 - Will not furnish references from a previous landlord
 - Has a bad rental history
 - Does not earn enough to meet the rent requirements
 - Falsifies information on the application



Avoid Discrimination Complaints

- Making derogatory remarks or slurs based on race, color, religion, national origin, sex, familial status or disability
- Withholding rights or privileges such as: use of the pool or other facilities, prompt repairs, parking spaces, receipts for rent paid or deposits because of a person's protected status
- Requesting sexual favors, offering privileges in exchange for sexual favors or threatening to evict a person if sexual favors are not granted
- Remember...you can evict tenants for legitimate, non-discriminatory reasons, i.e. not paying the rent on time, damaging the property or breaking laws



Avoid Discrimination Based on Disability

- Most disabled persons can be accommodated in an apartment fairly easily
- Some may require a ramp for wheelchair access, handicapped parking or interior alterations such as the removal of a door so a wheelchair can fit through
- Generally the improvements made to the unit must be financed by the tenant
- The policy should state that prior written permission must be given from the landlord before changes are made
- Once installed in the property, the grab bars, brackets, shelves would become your property. The policy and lease should clearly state this.



Avoid Discrimination Based on National Origin

- Due to the influx of non-English speaking from Mexico and other Spanish speaking countries, Asia and Africa, many may depend on rental housing to meet their needs initially
- Language and cultural differences present special challenges that must be addressed
- Because many may not be familiar with the American lifestyle, you may need to provide some assistance
- There are a number of governmental agencies, non-profit agencies and agencies that may be able to help



Guidelines for Renting to Families with Children

- Use the same procedure in your screening process and there should not be any difference in treatment
- Advertising should be reviewed so that it does not reflect an exclusion of children
- It's okay to have rules and to explain them:
 - Parents are liable for all damage caused by their children whether it is inside or outside
 - Small children cannot be left alone without supervision
 - Parents are responsible for knowing where their children are at all times since management is not a baby sitter
 - Areas should be designated for storage of toys, bikes, etc.



Right to File a Complaint

- The law protects the rights of applicants or residents in the area of fair housing.
- They have the right to file a discrimination case if they feel that they have been treated differently because of their protected class status.
- Retaliation is prohibited. Some examples include:
 - A landlord called the police on an applicant and her husband and falsely accused the husband of threatening to kill her
 - A manager attempted to evict a white couple because they were witnesses against the manager in a discrimination complaint



Summary

- Treat each applicant exactly the same
- Offer an application for to each prospect
- Screen each application with the same process
- Be consistent with the application of all policies and procedures
- Review your policies, provide a copy to the tenant and make sure that your management is reasonable, firm and fair



Fair Housing ~ Its Not An Option ~ It's the Law

- The City of Durham Fair Housing Ordinance protects your right to live where you want.
- In any decision regarding rental, sales, or lending, it is against the law to consider race, color, national origin, religion, sex, disability, or familial status
- Technical assistance is routinely provided to landlords and housing providers
- Contact the department to schedule a training for your staff



Questions and Answers

- Thank you for your attention!!